

# **EXHIBIT B**

Original

Approved:



DANIELLE M. KUDLA / EMILY A. JOHNSON  
Assistant United States Attorneys

Before: THE HONORABLE KATHARINE H. PARKER  
United States Magistrate Judge  
Southern District of New York

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:  
UNITED STATES OF AMERICA :  
:  
- v. - :  
:  
KEVIN DION ROLLE, JR., :  
a/k/a "Kevin Cavendish," :  
:  
Defendant. :  
:  
- - - - -x

20 MAG 9896

**SEALED COMPLAINT**  
Violations of  
18 U.S.C. §§ 1028A,  
1343, 1349, 1543,  
and 2  
  
COUNTY OF OFFENSE:  
MANHATTAN

SOUTHERN DISTRICT OF NEW YORK, ss.:

CHRISTINA L. FOX, being duly sworn, deposes and says that she is a Special Agent with the Federal Bureau of Investigation ("FBI"), and charges as follows:

COUNT ONE  
(Conspiracy to Commit Wire Fraud)

1. From at least in or about October 2015, up to and including at least in or about September 2020, in the Southern District of New York and elsewhere, KEVIN DION ROLLE, Jr., a/k/a "Kevin Cavendish," the defendant, and others known and unknown, willfully and knowingly combined, conspired, confederated, and agreed together and with each other to commit wire fraud, in violation of Title 18, United States Code, Section 1343.
2. It was a part and object of the conspiracy that KEVIN DION ROLLE, Jr., a/k/a "Kevin Cavendish," the defendant, and others known and unknown, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and

fraudulent pretenses, representations, and promises, would and did transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce, writings, signs, signals, and sounds for the purpose of executing such scheme and artifice to defraud, in violation of Title 18, United States Code, Section 1343, to wit, ROLLE submitted, and caused others to submit, credit card applications to a certain financial institution (the "Financial Institution"), which often included false statements, with the intent, upon receipt of the credit cards, to make numerous purchases of, among other things, luxury items for which ROLLE had no intention of paying the resulting balances, and in connection therewith and in furtherance thereof, ROLLE transmitted and caused to be transmitted interstate electronic mail and wire transfers of funds.

(Title 18, United States Code, Section 1349.)

COUNT TWO  
(Wire Fraud)

3. From at least in or about October 2015, up to and including at least in or about September 2020, in the Southern District of New York and elsewhere, KEVIN DION ROLLE, Jr., a/k/a "Kevin Cavendish," the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, and attempting to do so, transmitted and caused to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, ROLLE submitted, and caused others to submit, credit card applications to a certain financial institution (the "Financial Institution"), which often included false statements, with the intent, upon receipt of the credit cards, to make numerous purchases of, among other things, luxury items for which ROLLE had no intention of paying the resulting balances, and in connection therewith and in furtherance thereof, ROLLE transmitted and caused to be transmitted interstate electronic mail and wire transfers of funds.

(Title 18, United States Code, Sections 1343 and 2.)

COUNT THREE  
(Aggravated Identity Theft)

4. On or about January 29, 2016, in the Southern District of New York and elsewhere, KEVIN DION ROLLE, Jr., a/k/a "Kevin Cavendish," the defendant, knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Title 18, United States Code, Section 1028A(c), to wit, ROLLE possessed a United States passport and a Pennsylvania driver's license belonging to other persons and used these means of identification in relation to the wire fraud conspiracy and the scheme to commit wire fraud described in Counts One and Two of this Complaint, respectively.

(Title 18, United States Code, Sections 1028A(a)(1), (b) and 2.)

COUNT FOUR  
(Forgery or False Use of a Passport)

5. From at least in or about December 2015, up to and including at least in or about June 2019, in the Southern District of New York and elsewhere, KEVIN DION ROLLE, Jr., a/k/a "Kevin Cavendish," the defendant, did make, forge, counterfeit, mutilate, and alter a passport and instrument purporting to be a passport, with intent that the same may be used, and willfully and knowingly did use, and attempt to use, and furnish to another for use any such false, forged, counterfeited, mutilated, and altered passport and instrument purporting to be a passport, and any passport validly issued which has become void by the occurrence of any condition therein prescribed invalidating the same, to wit, ROLLE placed his photograph on an Ecuadorian passport and a United Kingdom passport belonging to or purporting to belong to other individuals in support of at least two credit card applications submitted to the Financial Institution in 2015 and 2019.

(Title 18, United States Code, Sections 1543 and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

6. I have been a Special Agent with the FBI since approximately 2011. I have been personally involved in this investigation. This affidavit is based upon my investigation, my conversations with other law enforcement agents and other

individuals, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

#### Overview

7. Based on my participation in the investigation, I have learned that, beginning in or around April 2020, the FBI began investigating a credit card fraud scheme that began at least in or around 2015 and is ongoing. As detailed below, KEVIN DION ROLLE, JR., a/k/a "Kevin Cavendish," the defendant, participates in what is known by various credit card companies as a "bust-out" scheme whereby the credit card user applies for a credit card and incurs numerous charges with no intention of paying the balance. As part of this credit card fraud scheme, ROLLE and others, submit credit card applications and supporting documentation to the Financial Institution, which often contains certain false information. After the Financial Institution issues a credit card in response to the application, ROLLE uses the credit card for a short period of time and incurs numerous charges that are left unpaid. In connection with this credit card fraud scheme, ROLLE often utilizes various individuals' personal identifying information ("PII"). To date, ROLLE's credit card scheme has resulted in an estimated loss amount, since at least 2015, in excess of \$1.2 million.

8. Based on my review of U.S. Customs and Border Protection ("CBP") records and U.S. Department of State ("DOS") records, and my conversations with CBP agents, I have learned, among other things, the following:

a. On or about June 4, 2020, ROLLE was interviewed by a CBP agent upon arrival to the Dallas / Fort Worth International Airport, during which the following facts, among others, were learned:

i. ROLLE is a citizen of the Bahamas and was traveling under a Bahamian passport.

ii. ROLLE's date of birth is on or about March 21, 1994.

iii. ROLLE's travel documents for entering the United States on or about June 4, 2020 listed fds.rolle@gmail.com (the "FDS Account") as ROLLE's email account.

iv. ROLLE was in possession of at least one credit card issued by the Financial Institution in the name of "Joan Marie Rolle," whom ROLLE identified as his mother (the "Joan Card").

v. ROLLE uses the alias "Kevin Cavendish."

b. On or about February 14, 2020, ROLLE submitted an application for temporary travel to the United States (the "Temporary Travel Application").

i. The Temporary Travel Application lists "Kevin Dion Rolle" and "Kevin Dion Cavendish" as ROLLE's names and includes an application photograph of ROLLE.

ii. The Temporary Travel Application lists ROLLE's mother as "Joan Marie Rolle" born on or about September 16, 1964.

9. Based on my conversations with fraud detection investigators at the Financial Institution, I have learned, among other things, the following:

a. The Financial Institution is headquartered in Manhattan, New York.

b. Depending on the type of credit card requested, the Financial Institution requires an applicant to submit either an online application or a paper application and supporting documentation that provides various information, such as the applicant's social security number, passport number, contact information, and/or bank account information.

c. The Financial Institution has business relationships with merchants around the world. Certain merchants, typically those that sell products online or by mail, require purchasers to enter contact information at the time of purchase, such as a purchaser's phone number, mailing address, and/or email address. This contact information is often provided to the Financial Institution automatically by the merchant at the time of purchase or upon the commencement of a fraud investigation.

10. Based on my review of the Financial Institution's internal account documents, including, among other things, (i) credit card applications, (ii) merchant documentation, including receipts, identification information taken at the time of purchase, and surveillance photographs; (iii) fraud investigation

reports; and (iv) credit card purchase data, I have learned the following, among other things:

a. Card-1

i. On or about October 19, 2015, a credit card application in the name of "Kevin Dion Rolle Jr." was submitted to the Financial Institution ("Card-1"). The application and supporting documents included a copy of a Bahamian passport with an identification photograph and a date of birth listed as March 21, 1994. Based on my comparison of the Card-1 application information, including the Card-1 application name, personal identifying information, and passport photograph, and ROLLE's CBP and DOS records, including ROLLE's Temporary Travel Application photograph, I believe that "Kevin Dion Rolle Jr." is ROLLE.

ii. Card-1 made approved purchases from on or about November 2, 2015 to on or about November 15, 2015, in the amount of approximately \$11,831.89, which remains outstanding.

b. Card-2

i. On or about December 21, 2015, a credit card application in the name of "Benson James Howard" was submitted to the Financial Institution ("Card-2"). The application and supporting documents included a copy of an Ecuadorian passport with an identification photograph and a date of birth listed as May 21, 1988. Based on my comparison of the Card-2 application information, including the Card-2 passport photograph, and ROLLE's CBP and DOS records, including ROLLE's Temporary Travel Application photograph, I believe that "Benson James Howard" is ROLLE.

ii. The Card-2 application also included copies of bank account statements issued from a Santander Bank branch in Mexico City, Mexico. The Financial Institution fraud investigators were later informed by a Santander Bank representative that this bank did not have an account number or an account holder matching the bank account statements submitted in support of the Card-2 application.

iii. Card-2 made approved purchases from on or about January 28, 2016 to on or about January 31, 2016, in the amount of approximately \$488,379.00, which remains outstanding.

iv. Card-2 made a purchase on or about January 29, 2016, for approximately \$56,742.27 at a merchant in Rome, Italy (the "Italian Receipt").

v. On or about January 29, 2016, an individual presented the Italian Receipt at a Global Blue Desk in Italy to claim a Value Added Tax ("VAT") refund. The individual presented a United States passport in the name of "Benson Howard James" with a date of birth listed as May 21, 1988. The individual also presented a Pennsylvania driver's license in the name of "Benson Howard James" with a date of birth listed as May 21, 1988. Based on my comparison of the "Benson Howard James" United States passport photograph, the "Benson Howard James" Pennsylvania driver's license photograph, and ROLLE's CBP and DOS records, including ROLLE's Temporary Travel Application photograph, I believe that "Benson Howard James" is ROLLE.

c. Card-3

i. On or about June 11, 2019, a credit card application in the name of "Solomon Johnson" was submitted to the Financial Institution ("Card-3"). The application and supporting documents included a copy of a British passport with an identification photograph. The application also listed the individual's email address as solomonajohnson1990@gmail.com. Based on my comparison of the Card-3 application information, including the Card-3 passport photograph, and ROLLE's CBP and DOS records, including ROLLE's Temporary Travel Application photograph, I believe that "Solomon Johnson" is ROLLE.

ii. Card-3 made approved purchases from on or about June 17, 2019 to on or about July 24, 2019, in the amount of approximately \$192,432.51, which remains outstanding.

iii. Approximately four purchases made with Card-3 were associated with the FDS Account based on purchaser information provided to the merchant at or around the time of purchase.<sup>1</sup>

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<sup>1</sup> Purchases are classified as "associated" with certain email accounts if the Financial Institution received purchaser information from a merchant that included a referenced email account, such as the FDS Account, as the purchaser's listed email address at or around the time of purchase. As described above in Paragraph 10(c), certain merchants who accept the Financial Institution as a form of credit card payment require purchasers to enter contact information at the time of purchase. This contact



iv. Approximately one purchase made with Card-3 was associated with an email account in the name of rollekevind@gmail.com (the "Rolle Account")<sup>2</sup> based on purchaser information provided to the merchant at or around the time of purchase.

d. Card-4

i. On or about August 5, 2019, a credit card application in the name of "Christian Alexander Heigl" was submitted to the Financial Institution ("Card-4").

ii. Card-4 made approximately six approved purchases from on or about September 1, 2019 to on or about September 7, 2019, in the amount of approximately \$4,514.28, which remains outstanding.

iii. Approximately two purchases made with Card-4 were associated with the Rolle Account based on purchaser information provided to the merchant at or around the time of purchase.

iv. Card-4 made at least one purchase on or about September 7, 2019, at a Best Buy located in the vicinity of Hialeah, Florida at approximately 6:29 p.m. EST. Video surveillance obtained from Best Buy on or about September 7, 2019 shows an individual who appears to be ROLLE exiting the store.<sup>3</sup>

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information may include, among other things, a phone number, mailing address, and/or email address. This contact information is often provided to the Financial Institution automatically by the merchant at the time of purchase or upon the commencement of a fraud investigation.

<sup>2</sup> Based on my review of Google subscriber information, the recovery email address for the Rolle Account is the FDS Account.

<sup>3</sup> The Financial Institution internal account records reflect the purchase time on or about September 7, 2019 as 4:29 p.m. MST, which is the equivalent of 6:29 p.m. EST. The Best Buy surveillance still photographs are marked with the timestamp September 7, 2019 at 19:58 CST, which is the equivalent of 8:58 p.m. EST.

e. Card-5

i. On or about July 2, 2019, a credit card application in the name of "Dario Pelaez" was submitted to the Financial Institution ("Card-5").

ii. Card-5 made approved purchases from on or about July 26, 2019 to on or about August 1, 2019, in the amount of approximately \$4,028.87, which remains outstanding.

iii. Approximately three purchases made with Card-5 were associated with the FDS Account based on purchaser information provided to the merchant at or around the time of purchase.

iv. Approximately 10 purchases made with Card-5 were associated with the Rolle Account based on purchaser information provided to the merchant at or around the time of purchase.

f. Card-6

i. On or about September 13, 2019, a credit card application in the name of "Romain Gabriel" was submitted via a paper application ("Card-6"). The application listed "Romain Gabriel's" email address as gabrielromain@aol.com (the "Gabriel Email Account").

ii. Records provided by the internet service provider for the Gabriel Email Account indicate that the account was created on or about September 12, 2019, and that a phone number was provided for the Gabriel Email Account (the "Gabriel Phone Number"). Based on my review of records provided by the internet service provider for the FDS Account, I have learned, among other things, that the Gabriel Phone Number is the same phone number provided by the user of the FDS Account to Apple Inc. on or about October 16, 2014 to create an Apple iCloud account.

iii. Card-6 made approved purchases from on or about October 9, 2019 to on or about October 20, 2019, in the amount of approximately \$22,615.04, which remains outstanding.

iv. Approximately four purchases made with Card-6 were associated with the FDS Account based on purchaser information provided to the merchant at or around the time of purchase.

v. Approximately 16 purchases made with Card-6 were associated with an email account in the name of kevinacavendish@gmail.com (the "Cavendish Account")<sup>4</sup> based on purchaser information provided to the merchant at or around the time of purchase.

g. Customer Service Calls for Cards -4, -5, and -6

i. On or about August 20, 2019, an individual who identified himself as "Christian Heigl" contacted the Financial Institution's customer service recorded line to inquire about the status of his Amex credit card delivery.

ii. On or about July 29, 2019, an individual who identified himself as "Dario Pelaez" contacted the Financial Institution's customer service recorded line to inquire about the status of his Amex credit card delivery.

iii. On or about October 1, 2019, an individual who identified himself as "Romain Gabriel" contacted the Financial Institution's customer service recorded line to inquire about the status of his Amex credit card delivery.

iv. I have reviewed the three audio recordings described in Paragraph 10(g)(i)-(iii), and the voice sounds to be the same in all three audio recordings.

h. The Joan Card

i. On or about November 30, 2015, the Joan Card application was submitted to the Financial Institution in the

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<sup>4</sup> Records provided by the internet service provider for the Cavendish Account indicate that the recovery account for the Cavendish Account is kevin.rolle@aol.com and is linked by web browser cookies to the Rolle Account. A web browser cookie is a small piece of data sent from a website that is stored in the user's web browser while the user is browsing. Every time the user loads the website, the browser sends the cookie back to the server to notify the user's previous activity. Cookies were designed to be a reliable mechanism for websites to remember information (such as items added in the shopping cart in an online store) or to record the user's browsing activity (including clicking particular buttons, logging in, or recording which pages were visited in the past). Cookies can also store passwords and form content a user has previously entered, such as a credit card number or an address.

name of "Joan Marie Rolle." The application and supporting documents included a Bahamian passport with an identification photograph and a date of birth listed as September 16, 1964. Based on my comparison of the Joan Card application information, including the Joan Card application name and personal identifying information, and information regarding "Joan Marie Rolle" contained in ROLLE's CBP and DOS records, I believe that "Joan Marie Rolle" is ROLLE's mother.

ii. The Joan Card application and supporting documents included bank account statements from the Royal Bank of Canada. The Financial Institution fraud investigators were later informed by a Royal Bank of Canada representative that the bank account statements submitted in support of the Joan Card were false.

iii. When ROLLE was interviewed by CBP on or around June 4, 2020, he was in possession of the Joan Card.

iv. The Joan Card made approved purchases from on or about December 22, 2015 to on or about January 27, 2016, in the amount of approximately \$481,517, which remains outstanding.

11. To date, the estimated loss amount associated with Cards -1 through -6 and the Joan Card are in excess of \$1.2 million.

12. Based on my review of search warrant returns for the FDS Account, the Rolle Account, and the Cavendish Account (collectively the "ROLLE Email Accounts"), I know the following, among other things:

a. ROLLE's search history between approximately 2019 and 2020, show that ROLLE searched for and/or reviewed, among other things, the following:

- Reinstating cancelled accounts from the Financial Institution;
  - Searched for on or about October 7, 2019: "[Financial Institution] reinstate account"
  - Visited on or about October 7, 2019: "[Financial Institution] reinstated my closed accounts without a hard credit pull"

- Visited on or about October 7, 2019: "Reactivate [Financial Institution] . . . cancelled by [Financial Institution]"
- Passports, birth certificates, and driver's license from various countries;
  - Passports searched for between on or about September 20, 2019 to on or about October 7, 2019:
    - o "A virgin islands passport"
    - o "A republic of Taiwan passport"
    - o "A novelty passport for sale new Granada"
    - o "A irish passport application"
    - o "Jamaican diplomatic passport"
    - o "A grenada passport"
  - Birth certificates searched for between on or about September 20, 2019 to on or about October 7, 2019:
    - o "Northern Ireland birth certificate"
    - o "St. Kitts and Nevis birth certificate"
    - o "NY birth certificate"
    - o "Bahamas birth certificate"
    - o "false birth certificate irish passport"
  - Driver's licenses searched for between on or about August 28, 2019 to on or about October 7, 2019:
    - o "Tennessee driver's license"
    - o "Russian driver's license"
    - o "Delaware driver's license"
    - o "United Kingdom driver's license"
- Forged identity cards, including passports; and
  - Visited on or about October 5, 2019:

- o <https://eurofakeid.com/order-italy/>
  - o <http://www.bestpassportsonline.com/>
  - o <https://buyfakepassportsandidcards.com/>
  - o Scannable fake identification card collection
- Searched for on or about October 5, 2019:
  - o "a drivers license laminated with seal"
  - o "where in NYC can I get a good fake ID?"
  - o "fake passport Roosevelt avenue"
- "How To" videos for purchasing and making false identification documents.
  - Videos viewed between on or about March 2018 and October 2019:
    - o "ID Hologram Overlay Security Adhesive"
    - o "Authentic with Seals & Keys ID Hologram Overlay"
    - o "Buy fake and real passport, IDs, driver's license, social security . . ."
    - o "How airport border guards test your passport to see if it's a fake"
    - o "How to make the fake fingerprints (VIRDI)"

b. The Cavendish Account is linked by web browser cookies to an email account in the name of solomonajohnson1990@gmail.com, which was provided in the Card-3 credit card application.

c. The ROLLE Email Accounts contain a document that purports to be a July 2017 paystub for "Solomon Johnson" in the amount of \$28,971.63.

d. The ROLLE Email Accounts include photographs of the identification documents, including a German identity card

and a German passport, submitted in support of the Card-4 application in the name of "Christian Alexander Heigl."

e. The ROLLE Email Accounts include a photograph of the identification document, a French passport, submitted in support of the Card-6 application in the name of "Romain Gabriel."

f. The ROLLE Email Accounts include conversations with at least one other individual regarding the sale of various jewelry and other items.

13. Based on my review of insurance records from a certain insurance company (the "Insurance Company"), and my conversations with representatives from the Insurance Company, I have learned, among other things, the following:

a. On or about June 16, 2016, ROLLE purchased a private collections insurance policy with the Insurance Company.

b. On or about July 5, 2016, ROLLE filed an insurance loss claim with the Insurance Company, alleging that on or about July 1, 2016, ROLLE was robbed at gunpoint in Washington, D.C. and various high-end jewelry pieces were stolen (the "Insurance Claim").

c. On or about July 7, 2016, an Insurance Company representative contacted ROLLE on a recorded line regarding the Insurance Claim. ROLLE identified himself as "Kevin Rolle" on the call (the "Insurance Call").

i. Based on my review of the three audio recordings described in Paragraph 10(g)(i)-(iii) and the Insurance Call on or about July 7, 2016, the voice sounds to be the same in all four audio recordings.

d. In support of the Insurance Claim, ROLLE provided the Insurance Company with purchase receipts for the items reported stolen, including, among others, the following: (i) a Pink Gold Diamond Cartier Bracelet; (ii) a Pink Gold Cartier Bracelet; and (iii) a Rolex Presidential Watch (the "Jewelry Receipts").

i. Based on my review of the Jewelry Receipts and my review of the purchase data provided by the Financial Institution for Card-2, I believe that the Jewelry Receipts correspond with certain purchases made by Card-2 on or about January 29, 2016 and on or about January 30, 2016 from merchants in Italy and in Austria.

ii. Based on my review of the Jewelry Receipts and my review of the Italian Receipt described in Paragraphs 10(b)(iv)-(v), I believe that certain of the items referenced in the Jewelry Receipts correspond with the merchant information provided in the Italian Receipt.

14. Based on my conversations with representatives from the Department of Homeland Security ("DHS"), I know that the U.S. passport bearing the name "Benson Howard James" and used in connection with a Card-2 purchase described in Paragraph 11(b)(iv)-(v) was validly issued to another individual.

15. Based on my conversations with other FBI employees, I know that the Pennsylvania driver's license bearing the name "Benson Howard James" and used in connection with a Card-2 purchase described in Paragraph 11(b)(iv)-(v) was validly issued to another individual who is now deceased.

WHEREFORE, deponent prays that a warrant be issued for the arrest of KEVIN DION ROLLE, JR., a/k/a "Kevin Cavendish," the defendant, and that he be arrested and imprisoned, or bailed, as the case may be.

/s/ Christina Fox

CHRISTINA FOX  
Special Agent  
Federal Bureau of Investigation

Sworn to me through the transmission of  
this Affidavit by reliable electronic means,  
pursuant to Federal Rules of Criminal  
Procedure 41(d)(3) and 4.1 this  
15 day of September, 2020

Katharine H Parker

THE HONORABLE KATHARINE H. PARKER  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK